

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
COREY EASTWOOD, JESSE HENRY, GAURAV JASHNANI,  
CHRIS DWYER, and DANIEL DWYER,

Case no. 05 CV 9483

Plaintiffs,

against

THE CITY OF NEW YORK, et al.,

**AFFIDAVIT OF  
SERVICE**

Defendants.  
-----X

State of New York     )  
                                  ) ss.:  
County of New York    )

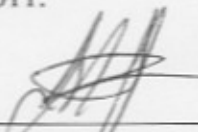
Luis R. Ayala, being duly sworn, deposes and says that the deponent is not a party to this action, is over the age of eighteen years, is an independent process server (license number 1024905), and resides in the State of New York:

(1) That on November 14, 2005 at 5:35 p.m., deponent served a true copy of the summons and complaint in the above-captioned matter upon Defendant Captain Thomas Kavanagh at his place of employment, PSA 5, 221 East 123<sup>rd</sup> Street, New York, NY 10029. The documents were accepted and signed for by Sgt. Campose (#1673). Sgt. Campose was Caucasian, approximately 5'11" tall, 200 pounds, 40 years old, bald with glasses.

(2) That on November 16, 2005 at 12:10 p.m., deponent served true copies of the summons and complaint in the above-captioned matter upon Defendants Patrick Quigley, Carmine Fiore, and Shaun Gumbs, at their place of employment, NYPD, Midtown South Precinct, 357 West 35<sup>th</sup> Street, New York, NY 10001. All sets of documents were signed for and accepted by P.O. Melindones (#8989). P.O. Melindones was a Caucasian female, approximately

45 years old, 5'6" tall, 145 pounds, with green eyes and blond hair

(3) That on November 21, 2005 at 11:30 a.m., deponent mailed to Defendants Kavanagh, Quigley, Fiore, and Gumbs true copies of the summons and complaint to their place of employment as noted above in paragraphs (1) and (2) in envelopes marked "Personal and Confidential" and without any indication that communication was from an attorney or concerned any action against the defendants. The envelopes were placed in a U.S. mailbox on 23<sup>rd</sup> Street, between 6<sup>th</sup> and 7<sup>th</sup> Avenues, New York, NY 10011.

  
\_\_\_\_\_  
Luis R. Ayala  
109 Seaman Ave., #4E  
New York, NY 10034

Sworn to and Subscribed Before Me  
the 21st day of November 2005

  
\_\_\_\_\_  
NOTARY PUBLIC

SUSAN C. BAILEY  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 018A6121503  
Qualified in New York County  
Commission Expires January 18, 2009

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Corey Eastwood, Jesse Henry, Gaurav Jashnani,  
Chris Dwyer, and Daniel Dwyer

SUMMONS IN A CIVIL ACTION

V.

The City of New York, et al.

CASE NUMBER:

05 CV 9483

TO: (Name and address of Defendant)

Captain Thomas Kavanagh  
PSA 5  
221 E. 123rd Street  
NY, NY 10029

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

NOV 09 2005

CLERK

*Sayne D.*

DATE

*H. Rogers #1673*

(By) DEPUTY CLERK



SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER (PRINT)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served:  <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:  <input type="checkbox"/> Returned unexecuted:  <input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

Corey Eastwood, Jesse Henry, Gaurav Jashnani,  
Chris Dwyer, and Daniel Dwyer

SUMMONS IN A CIVIL ACTION

V.

The City of New York, et al.

CASE NUMBER:

05 CV 9483

TO: (Name and address of Defendant)

Patrick Quigley  
Midtown South Precinct  
357 W. 35th St.  
NY, NY 10001

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

*Rec'd Michael L. Spiegel 8989*

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

NOV 09 2005

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

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UNITED STATES DISTRICT COURT

SOUTHERN

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NEW YORK

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Chris Dwyer, and Daniel Dwyer

SUMMONS IN A CIVIL ACTION

V.

The City of New York, et al.

CASE NUMBER:

05 CV 9483

TO: (Name and address of Defendant)

Carmine Fiore  
Midtown South Precinct  
357 W. 35th St.  
NY, NY 10001

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

*Pod Melidius 8989*

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

NOV 09 2005

CLERK

*Sayra L.*

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

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NEW YORK

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Chris Dwyer, and Daniel Dwyer

SUMMONS IN A CIVIL ACTION

V.

The City of New York, et al.

CASE NUMBER:

05 CV 9483

TO: (Name and address of Defendant)

Shaun Gumbs  
Midtown South Precinct  
357 W. 35th St.  
NY, NY 10001

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel  
111 Broadway, Suite 1305  
New York, NY 10006

*POD Melichius 8989*

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

NOV 09 2005

CLERK

*Signa [Signature]*

DATE

(By) DEPUTY CLERK

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